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by

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In March 1521, Catholic Europe was on the brink of rupture. It had been more than three years since Martin Luther had posted his Ninety-Five Theses in the university town of Wittenburg, and what had been a mere invitation to a public disputation concerning the power and efficacy of indulgences had gone on to embroil Christian Europe in an unprecedented doctrinal conflict. The political and religious significance of Luther's revolt was certainly not lost on Rome, which had by this point responded to Luther's December 1520 bonfire fueled by copies of Leo X's excommunication bull and books of canon law by declaring him "the slave of a depraved mind," deserving of "excommunication, of anathema, of our perpetual condemnation and interdict."[1] Already pressuring Emperor Charles V to put an end to the "pernicious poison" of Luther's heresies at the upcoming Diet of Worms, Pope Leo X was also busy ensuring that England would remain relatively unscathed by the "Luther-question."[2] While he praised Cardinal Thomas Wolsey's efforts to prevent Lutheran books from infiltrating England's shores, the Pope wasted no time in bluntly informing his English legate that a "general bonfire would be more satisfactory."[3] As a "political psychologist in a cardinal's hat," Wolsey understood the need to express England's orthodoxy and loyalty to Rome by staging a spectacular coming out for Henry VIII's very own campaign against Luther, culminating in a lavish book burning ceremony on the

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[1] Evangelical Tracts, "Decet Romanum Pontificem"; available from http://www.tracts.ukgo.com/bull_decet_romanum.doc; accessed 5 March 2009.

[2] Papal Encyclicals Online, "Exsurge Domine"; available from http://www.papalencyclicals.net/Leo10/l10exdom.htm; accessed 5 March 2009; Carl S. Meyer, "Henry VIII Burns Luther's Books, 12 May 1521," Journal of Ecclesiastical History, IX (1958): 180.

[3] Card. De Medici to Wolsey, 30 March 1521, in J.S. Brewer et al., eds., Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII (21 vols.; London, England, 1864-1932), III part I: 455.

grounds of old St. Paul's Cathedral in London.[4] While the estimated 30,000 onlookers gazed into a sumptuous bonfire fed by Luther's collected works to date, Bishop John Fisher of Rochester delivered a two-hour long sermon reasserting the key tenets of Catholic doctrine questioned by Luther. Publically proclaiming England's orthodoxy to a fracturing European continent, Wolsey's book burning was a public relations coup that put Henry VIII and his kingdom on the definitive side of the pope and the emperor, exercising the show of support that Leo X had not so subtly hinted at two months earlier. These events of May 12, 1521 not only signaled a rejection of Lutheranism, but also the beginning of a prolonged domestic effort to quell Luther's "mighty storme and tempest" within the realm.[5]

Ironically, what began as an effort to eradicate heterodoxy would come to an abrupt end only thirteen years later when the very same Defender of the Faith who had signed his name to the fiercely Catholic *Assertio Septem Sacramentorum* signed the Act of Supremacy and effectively cut England's spiritual ties with Rome. Nearly a year after this declaration, Bishop Fisher would mount an altogether different scaffold, and rather than preach against heresy, he would lay his head on the executioner's block for remaining obstinate in his obedience to the Pope. The short answer to this historical dilemma has long been that Henry VIII's determination to divorce Catherine of Aragon and father a male heir to his throne was the driving force behind the English Reformation. While that long coveted divorce was undoubtedly the king's ultimate objective when he declared himself the head of the church in England, it still leaves unanswered the question of how Henry's militant efforts to defend the Roman Catholic Church in the 1520's were supplanted by an equally authoritarian quest to nationalize the Church and ordain himself

[4] Simon Schama, A History of Britain: At the Edge of the World? (New York, 2000), 289.

[5] John E.B. Mayor, ed., The English Works of John Fisher (London, 1876), 311.

as its supreme head a decade later. Looking to the years immediately preceding the English Reformation, this shift of religious authority from the Church to the state may be explained in part by the efforts of Henry and his government to suppress Protestant heretics in the final years before the break with Rome.

Historians, including Craig D'Alton, Richard Rex, and Carl S. Meyer, have compiled an extensive analysis of these anti-heresy efforts between 1521 and 1532, revealing the strategies employed by the English Church and crown to deal with the emerging threat of Lutheranism. Specifically, Craig D'Alton has documented how the Church's concern with reforming heretics as expressed by Bishop John Fisher in 1526 came into conflict with a more militant strategy espoused by Sir Thomas More during his tenure as Lord Chancellor three years later. This crucial analysis has laid the foundation for my present study of how the state's increased role in combating heresy during this time helped to consolidate religious authority in the hands of the monarchy. As such, while these historians and others have meticulously described and documented the history of England's struggles with heresy in the years leading up to the reformation, the effect (if any) that official efforts against heresy had on the state's ability to acquire power and authority over the English Church has yet to be explored. While the anti-heresy campaign from 1521 to 1532 has often been viewed as a footnote to the ensuing English Reformation, the evidence will show that these crucial years laid the foundation for Henry's royal supremacy over the Church by witnessing the transfer of ecclesiastical authority into the hands of the state. One of the means by which this was accomplished was through the gradual takeover of anti-heresy efforts by the secular government, which created an apparatus and mentality through which Henry and his ministers could appropriate religious authority to themselves in order to achieve various political ends. When these goals shifted from maintaining

Catholic unity in the face of a splintering European continent to achieving a sanctioned divorce and remarriage, Henry had only to use the same approach he had previously used on Lutheran heretics on a new breed of Catholic dissenters.

Tracking this transfer of authority from 1521 to 1535, this paper will begin by analyzing the recent historiography of the English Reformation. Having contextualized my argument within the prevailing schools of thought regarding the Reformation, I will then provide a brief overview of the English monarchy's relationship with the Church leading up to Henry VIII's reign. After establishing the relevant historical context, this paper will then examine the first English reactions to Luther's continental reformation and the subsequent official actions taken by both Henry VIII and his government to combat heresy. This will lay the foundation for a comparative study of methods employed by both the Church and the state for dealing with heresy on the eve of the Reformation, establishing a clear divergence in policy and motivation on the part of these two official entities. Finally, this paper will examine how the monarchy's role in adjudicating heresy cases in the years immediately prior to the reformation helped to solidify the state's power over the Church in the years immediately prior to the break with Rome. To support that conclusion, this analysis will draw on vast archival compilations of state records and papers from the reign of Henry VIII, along with original English treatises, proclamations, and sermons from the Reformation era. Analyzing the shift in religious authority during this period, the evidence will demonstrate that the anti-heresy campaign of the early sixteenth century contributed to a significant secular annexation of religious authority in Henry's England, and thus occupies a critical place in our subsequent understanding of how the Defender of the Faith could later become the Supreme Head of the Church, and how a matter of personal dynastic politics could lead to a reformation of religion.

Bottom Up or Top Down? A Survey of the Historiography of the English Reformation

The claim that Henry VIII was able to acquire religious authority through the anti-heresy campaigns immediately preceding the English Reformation is one that has been overlooked in contemporary studies of the period. The guiding principle of this argument, however, that the reformation in England originated as an act of state imposed on the nation by Henry's royal authority, has long been debated by historians. To more fully understand the particular claims of the argument that proceeds in this paper, it is first necessary to provide a brief explication of this debate and the implications it has for our understanding of Henry VIII's role in bringing about the significant religious changes that took place during his reign.

First, it is important to recognize, as Christopher Haigh has noted in *The English Reformation Revisited*, that the Reformation was not a specific event that can be distilled down to a single date or proclamation. Rather, it was a complex and complicated process spanning decades and incorporating several religious and political changes that cannot be easily ascribed to a single agenda or motive.[6] The topic addressed by this paper illustrates this principle quite well. While we can easily point to individual proclamations, statutes, and events that helped garner religious authority for the king during the anti-heresy campaigns before the break with Rome, it is an altogether different matter to ascribe any concrete motive to King Henry or the ministers who enacted these policies. Rather, it is my contention that the cumulative effect of these directives over time played a significant role in the monarchy's aggrandizement of religious authority and the subsequent reformation that followed. As will become apparent, on

[6] Christopher Haigh, ed., The English Reformation Revisited (Cambridge, 1987), 19.

the occasions when motive can be distinguished (as in the case of Sir Thomas More), it more often than not has nothing to do at all with an overt attack on church authority.

Within this complex network of official acts, motives, and gradual transformations, historians have distinguished between two key schools regarding recent reformation historiography. First, some have argued that religious change in England was entirely an act of the state, imposed from above by Henry and his ministers in order to achieve the Church-sanctioned divorce and remarriage that Henry felt was vital for the continued existence of the Tudor dynasty. Accordingly, this political reformation had as its goal the nationalization of the Church, and the accompanying religious reforms attempted to purge English parishes of superstition.[7] While the subject of heresy might seem at first glance to be more relevant to the religious aspect of the reformation, this paper will not concern itself with popular religiosity and belief but rather with the political effects and implications of how heresy cases were dealt with, and by whom. As such, it is my intention to show how the changing paradigms of England's pre-reformation anti-heresy campaign contributed toward the nationalization of the Church through a gradual transfer of ecclesiastical power to the secular arm.

Still, other historians have argued that the Reformation in England cannot be attributed to the machinations of state, but rather had its origin in popular religious belief. This "bottom up" school was popularized by the work of A.G. Dickens, who concluded in his book on the Reformation that the English medieval heresy of Lollardy had laid the foundations for the reception of continental Protestant beliefs.[8] Arguing that "we must avoid the temptation to equate the Henrician Schism with the Protestant Reformation," Dickens proposed that "the divorce-suit

[7] Ibid., 20.

[8] Ibid., 21.

did not create either Protestantism or those anti-papal and anti-sacerdotal forces which smoothed its path."[9] Acceptance of this hypothesis would necessarily imply that the English people on the eve of the Reformation were largely dissatisfied with prevailing Catholic doctrine and religious practice, and that they welcomed divergent beliefs as a solution to this religious anxiety. Recent scholarship, however, such as Eamon Duffy's *The Stripping of the Altars*, has demonstrated that contrary to Dickens' argument late medieval Catholicism was a vibrant tradition that exercised a strong hold over the spirituality and loyalty of the people it served. Indeed, historians today can be fairly confident in their assertion that "we now know that the parish clergy were *not* negligent, immoral and inadequately educated clerics embroiled in conflicts with their parishioners," as had been previously thought.[10]

Furthermore, the number of heresy cases during this time fails to lend support to Dickens' argument. Had popular discontent with medieval Catholicism been as rife as Dickens suggests, we would expect to see evidence of more widespread dissent and subsequent persecution. While there were protestant heretics in England during this time, "they formed a very small minority whose real significance has been exaggerated because their own rejection of Catholicism was, much later and for accidental political reasons, to triumph nationally."[11] This is not to say that the heresy cases that were prosecuted in this period were not politically significant. In this sense my argument will oppose Dickens' thesis by maintaining that the real significance of the English anti-heresy campaign under Henry VIII was not that it planted the seeds of protestant religious belief, but rather that the state's increasingly militant efforts to suppress heresy at the expense of ecclesiastical authority smoothed the way for a religious

[9] A.G. Dickens, The English Reformation (London, 1964), 107.

[10] Haigh, English Reformation Revisited, 22.

[11] Ibid.

reformation when it became necessary to fulfilling the king's personal and political objectives. Examining these developments within the larger context of the divorce and other religious and political factors, it will be clear that whatever the proximate causes of the Reformation may have been, an increased royal and secular presence in the fight against heresy during this time can both explain and help to account for the gradual process that facilitated the king's proclamation of royal supremacy over the Church.

Church-State Relations in England on the Eve of the Reformation

In order to delineate the significance of this proclamation, and understand how an increased royal profile in the fight against heresy contributed toward it, it is first necessary to establish the context for church-state relations in England upon the ascendency of Henry VIII to the throne.

Throughout the middle ages, English sovereigns had claimed rights of taxation, appointment, appeals, and punishment over the clergy.[12] On more than one occasion, these claims brought the monarchy into direct conflict with the pope. When King John refused entry to Pope Innocent III's candidate for the archbishopric of Canterbury in 1214, for example, the pope threatened England with interdiction and military invasion from France. Subsequently, John pledged fealty to Pope Innocent and promised free election of all bishops by their respective cathedral chapters. During the pontificate of Boniface VIII, the issue of taxation provided another source of conflict between London and Rome when the pope forbade the taxation of clerics by secular officials with his 1296 bull *Clericis laicos*. Responding to the pope's

[12] Leo F. Solt, Church and State in Early Modern England, 1509-1640 (New York, 1990), 4.

injunction, the Canterbury Convocation of the English Church withheld taxes from Edward I, who responded by placing the clergy outside his civil jurisdiction. After the clergy capitulated to the king, it was clear that England would no longer be the papal fiefdom that it had become during John's reign. This was reinforced in 1366, when King Edward III and his parliament repudiated the papal claim to feudal overlordship in England and ended the annual payment of £1,000 that had been made to Rome since 1214.

The issue of appointing bishops and other clerical officials, however, continued to be a point of contention between church and state during the medieval era. During his reign, Henry I surrendered the crown's power to invest bishops with the insignia of their office. This marked the end of the Anglo-Saxon "theocratic monarchy" in England, although the king still had the nominal power to choose bishops who were then ratified by election through the cathedral chapter. In this case, papal bulls for the consecration of the king's appointed bishops would still be sent from Rome before the bishops could be installed. In the event that a cathedral chapter disagreed with the king over the prospective bishop, the pope normally sided with the king who had the power to revoke the temporal benefits of the see to which any given bishop was appointed. In 1345, Pope Clement VII went so far as to say that if "the king of England were to petition for his ass to be made a bishop, we could not say him Nay."[13]

In 1398, a concordat between King Richard II and Pope Boniface IX stipulated that in addition to these procedures regarding the election and appointment of bishops, the king would also have the right to appoint two clergymen to minor offices for every one that the pope could appoint. In order to enforce these mandates, the crown also limited the jurisdiction of ecclesiastical courts regarding appointments and benefices by issuing writs of prohibition. When

[13] Ibid., 5-6.

appeals to Rome were made by bishops who felt threatened by royal appointments to minor offices within their dioceses, however, the monarchy responded by passing statutes of Praemunire in 1353, 1365, and 1393. These laws made it illegal to appeal disputed appointments to Rome and also forbade the importation of any instruments of papal authority that ordered the transfer of bishops or handed down sentences of excommunication. Subsequently, papal appointments and provisions to minor offices within England declined, resulting in an increase of royal power over the Church. Despite these advances, however, the Church still held the ultimate authority over cases involving heresy, perjury, defamation, tithes, criminal charges against the clergy, and marriage. When Henry VIII needed to encroach upon that authority in order to achieve his divorce and remarriage beginning in the mid-1520's, many of these areas of ecclesiastical jurisdiction that had remained the exclusive province of the Church were gradually taken over by the state. Ultimately, one of the key areas of church authority that the monarchy would appropriate to itself during this time was the Church's traditional power with regard to the detection and punishment of heresy.[14]

In principle, government action in defense of religious doctrine was not a novelty. As early as 1401, Henry IV promulgated the statute *De Haeretico Comburendo* in Parliament as a reaction against the teachings of John Wycliffe and his Lollard followers. This was significant in that it allocated a key enforcement role to secular officials with regard to heresy cases. Specifically, local sheriffs were empowered to burn unrepentant heretics who refused to recant in church courts. Giving the monarchy the power to inflict temporal punishments for spiritual causes, this precedent widened the state's jurisdiction in ecclesiastical matters and contributed toward an increase in royal power and influence over the Church leading up to Henry VIII's

[14] Ibid., 7.

coronation.[15] Under Henry VIII, and most notably during the king's divorce crisis, this trend would continue as the government gradually appropriated even more of the Church's traditional authority to itself. The following analysis of the era leading up to and including Henry's divorce and remarriage will show how the changing roles and relationships between church and the state with regard to heresy cases can reveal the gradual imposition of royal authority over the church at a time when Henry's personal and political goals necessitated an ecclesiastical body docile to his will.

Defending the Faith to Defend Royal Power: Luther's Books are Burnt and Henry Writes the *Assertio Septum Sacramentorum*

While the consolidation of ecclesiastical authority in the hands of the state during the anti-Lutheran campaign of the 1520's and 1530's was most evident during the years immediately preceding Henry's break with Rome, the foundations for this aggrandizement were laid long before the king's "Great Matter" of the divorce came to dominate national politics. Setting the stage for Henry's polemical dialogue with Luther, the future Bishop of London, Cuthbert Tunstall, provided the first English impression of the Wittenberg friar and his theology when he was serving as Henry's ambassador at the imperial court of Holy Roman Emperor Charles V in Germany. On 21 January 1521, Tunstall wrote to Cardinal Wolsey from the Diet of Worms, describing how "the Germans everywhere are so addicted to Luther, that, rather than he shall be oppressed by the Pope's authority (who hath already condemned his opinions), the people will spend a hundred thousand of their lives. They have informed the Emperor that he is a good and virtuous man, besides his learning." Describing how Luther "did openly in the town of

[15] Ibid., 8-9.

Wittenberg gather the people and the University together, and burn the decretals, [of the Pope] &c., as books erroneous, as he there declared," and then how he put his declaration "in print in the Dutch tongue, and sent it all about the country," Tunstall informs Wolsey that he has sent him a copy "to the intent ye may see it, and burn it when ye have done, and also that your Grace may call before you the printers and booksellers, and give them a strait charge that they bring none of his books into England, nor translate them into English, &c." Clearly, Tunstall had recognized the danger of Luther's ideas and begged Wolsey to do his utmost to prevent their dissemination. Referencing Luther's treatise *On the Babylonian Captivity of the Church*, Tunstall describes how there is "much more strange opinion in it, near to the opinions of Boheme [*sic*]. I pray God keep that book out of England."[16]

By April, the month that Luther was set to appear before the Imperial Diet, Henry had obviously taken Tunstall's warning to heart. On the seventh of that month, the dean of St. Paul's, Richard Pace, wrote to Wolsey informing him that the king "was otherwise occupied, i.e., *scribendo contra Lutherum* [writing against Luther], as I do conjecture."[17] Upon presenting Pope Leo's bull condemning Luther to the king, Pace reported how "the King was well contented, showing unto me that it was very joyous to have these tidings from the Pope's holiness, at such time as he had taken upon him the defence [*sic*] of Christ's church with his pen, afore the receipt of the said tidings; and that he will make an end of his book within these [few days]."[18] In addition to rebuking heresy, Henry advanced the conscious goal of promoting himself and his kingdom as staunch allies of the Pope and the Church. As Pace would note, Henry's book "is to be sent not only to Rome, but also into France and other nations, as shall appear convenient. So

[16] Brewer et al., eds., Letters and Papers, III, part I: xcix, ccccxxxviii-ccccxxix.

[17] Pace to Wolsey, 30 March 1521, in Brewer et al., eds., Letters and Papers, III, part I: 461.

[18] Pace to Wolsey, 16 April 1521, in Brewer et al., eds., Letters and Papers, III, part I: 467.

that all the church is more bound to this good and virtuous prince, for the vehement zeal he beareth unto the same, than I can express."[19] To that extent, the king's initial work against Luther, for which Archbishop of Canterbury William Warham rejoiced "that England [had] so orthodox a sovereign," was as much of a political demonstration as it was a religious polemic.[20] Staging his reply to Luther's heresies as a grand act of state, Henry began a process by which he would (at least inadvertently) endow himself and his government with religious authority for political purposes, becoming the "defender of the old Catholic faith as part of the defense of the old royal power."[21]

Regarding the Lutheran heresy, the papacy was all too eager to enlist King Henry's secular jurisdiction to prevent England from falling into schism and error. As early as March 1521, Pope Leo X not so subtly hinted at what Henry's grand public relations display might look like. Thanking Wolsey "for his zeal against Luther and the newly revived heresy of the Hussites, and for forbidding the introduction of their books into England," the pope also wanted to make it clear that Wolsey had the authority, as well as the obligation, to take even further action.[22] Threatened by the Turks, the French, and political and military upsets within Italy itself, Leo was desperate to find some remedy to Luther's wildfire heresy, which by this point was becoming more than a simple academic dispute on Church doctrine. Threatening the religious and social order of Catholic Europe, Luther proposed that "a priest in Christendom is nothing else but an officeholder," thereby eliminating what Luther defined as an artificial estate that placed the clergy above lay authority. Believing that, "there is no true, basic difference between laymen and

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[19] Ibid.

[20] Pace to Wolsey, 30 March 1521, in Brewer et al., eds., Letters and Papers, III, part I: 461.

[21] William Clebsch, England's Earliest Protestants 1520-1535 (New Haven, CT, 1964), 3.

[22] Leo X to Wolsey, 16 March 1521, in Brewer et al., eds., Letters and Papers, III, part I: 450.

priests, princes and bishops, between religious and secular, except for the sake of office and work," Luther struck at the entire doctrine of the ministerial priesthood, denying the indelible character given to a soul at ordination, and negating any pretense on the part of clerics to a special grade of spiritual authority. In the realm of scripture, Luther asserted that we "ought to become bold and free on the authority of all these texts," and "not allow the Spirit of Freedom...to be frightened off by the fabrication of the popes..."Far from simply debating theology, Luther was attacking the spiritual and temporal authority of the papacy and the Roman Church. To Leo, support or tolerance of Luther and his ideas was paramount to attacking his own authority.[23]

With Francis I of France threatening conflict with both Holy Roman Emperor Charles V and Leo himself, the pope knew that Charles' compliance with his will regarding Luther at the upcoming Diet of Worms could make or break the tenuous situation in Europe. To buttress his own political standing, Leo needed to crush the very heresy that gave theological expression to the long standing political attacks and grievances against the Church. Should the emperor waver on Luther and disregard the Pope's orders to treat that affair with "paramount importance," his alliance with Charles could fall through just when he needed it the most.[24] As a neutral power, England had a deciding role to play in this international political and diplomatic conflict. Would Henry throw his military and diplomatic weight behind the Pope (and thereby encourage the Emperor to do the same), or remain silent on Luther in order to rebuke the Pope and by default side with France? Appealing to Henry's political ego, the Pope made it clear which outcome he preferred.

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[23] Martin Luther, Three Treatises (Philadelphia, 1966), 14, 21.

[24]Carl S. Meyer, "Henry VIII Burns Luther's Books, 12 May 1521," Journal of Ecclesiastical History, IX (1958): 181.

As far back as November 1520, Cardinal De Medici had written on behalf of Pope Leo to Henry's Auditor of the Chamber, explaining how "the pope daily pays considerable attention to finding some remedy for Lutheranism, as Wolsey has advised him. As the influence of Henry and Wolsey is very great with all the princes, [he] wishes they would write to the Emperor and other Christian princes to prevent its further diffusion. Thinks their letters will have great effect."[25] Acknowledging Henry's political power and influence, Leo continued to court both Wolsey and Henry in order to elicit a strong public rejection of Lutheranism in England. Again in March, 1521, Cardinal De Medici wrote to Wolsey on how the pope "desires nothing more than the suppression of Lutheranism, and wishes the King to send an ambassador to the Emperor to urge him, *viva voce*, in this good cause. The King is the more bound to this, as he is more powerful than his predecessors. [He] is to press strongly, knowing the great authority of England with the Emperor and the German princes."[26] Singling Henry out as the most powerful English monarch to date and a political heavyweight having "great authority" with the Emperor, De Medici communicates in no uncertain terms the pope's desire that Henry take a side in the present religious controversy in order to achieve diplomatic effects of international importance.

While Wolsey had hitherto banned the importation and sale of Lutheran books in England, Rome wanted the state to intervene on a much more public level, showcasing "the devotion which England has always had to the Holy See," and making it clear for all of Europe, especially for Charles V and Francis I, that England would not tolerate Luther's theology and its inherent attack on papal authority. Again speaking for Leo, Cardinal De Medici reinforced this point by assuring Wolsey that "The Pope commends [his] design of not suffering those books to

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[25] Cardinal De Medici to the Auditor of the Chamber, 30 November 1520, in Brewer et al., eds., Letters and Papers, III, part I: 394

[26] Cardinal De Medici to Wolsey, 30 March 1521, in Brewer et al., eds., Letters and Papers, III, part I: 455.

be imported or sold, but thinks that remedy would not be sufficient, as so many have already got abroad, and they can be circulated by other means than the booksellers." To ensure that Luther's collected works would become extinct in England, and more importantly that the princes of Europe would know it, the Cardinal stipulated that "a general bonfire would be more satisfactory." Indeed, a public display of allegiance to Rome was exactly what Leo needed at the time. In the same dispatch, De Medici reported how "the pope complains of some of the Imperial ambassadors, who, for their own private ends, talk of the Lutheran heresy as if it concerned the pope alone, and not all Christian princes." For a Christian prince like Henry to take a decisive stand against Lutheranism would send a clear message to Catholic monarchs throughout Europe to rally to the pope's defense and work to crush Lutheranism as a threat to both the Church and state. As such, a public denunciation of Luther and his work was the means by which Henry VIII and his ministers would not only reinforce England's orthodoxy and loyalty to Rome, but also underscore the power of the Tudor king, who at that very moment was in the process of lobbying Rome for a title in recognition of his standing.[27]

On the morning of Sunday, May 12th 1521, ambassadors from the pope, the emperor, and the Signory of Venice assembled to process with Cardinal Wolsey and the bishops of the realm to St. Paul's Cathedral in London, where the burning was scheduled to take place. Previously in April, Charles V had fulfilled the pope's wishes and condemned Luther at the Diet of Worms. Now, Henry was going to publically proclaim his allegiance to both Charles and Leo against Luther's heresies and their collective political enemies. Interestingly enough, the French ambassador was not present. Clearly, the French understood the diplomatic significance of

[27] Ibid.

Henry's book burning as much as Rome did, and saw this ostensibly religious act for the political display of royal power that Wolsey intended it to be.[28]

Upon arriving at the cathedral, Cardinal Wolsey, along with the bishops, ambassadors, and nobles, dismounted his horse and entered the church, where he prayed at the high altar and gave his blessing to the assembly. Henry, who was sick in bed at the time, was not in attendance.[29] Making their way into the churchyard, Wolsey and his attendants took their seats on a high scaffold, sitting by rank with "the Pope's ambassador and the archbishop of Canterbury at his feet on the right side, the Imperial ambassador and the bishop of Durham on the left, the rest of the bishops on two forms outeright forth."[30] In this case, the formalities of rank and title were strictly observed to make an unequivocal statement about the political and diplomatic, as well as the religious nature of the day's events. Following Wolsey's display of pomp and circumstance, Bishop John Fisher of Rochester "than whom there," according to Erasmus, "is not in the whole nation a more learned or pious prelate,"[31] delivered a two-hour long sermon in English reasserting the theological basis for some of the central tenets of Catholic orthodoxy questioned by Luther. Systematically undermining Luther's key doctrinal objections, Fisher compared the looming specter of heresy to:

> a thyk blacke clowde that darketh al the face of the henen & shadoweth from vs the clere light of the sonne. And stereth an hydeous tempest & maketh a grete lyghtnyng and thonderyth terrbly, so that the weyke foules and feble hertes be put in a grete fere & made almost desperate for lacke of comforte...And nowe suche another clowde is raysed a lofte oon Martyn luther a frere the whiche hath stered a mighty storme and tempest in the chirche.[32]

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[28] Meyer, "Henry VIII Burns Luther's Books," 185.

[29] Ibid.

[30] Luther's Writings, 12 May 1521, in Brewer et al., eds., Letters and Papers, III, part 1: 485.

[31] Meyer, "Henry VIII Burns Luther's Books," 175.

[32] Mayor, English Works of John Fisher, 311.

As Fisher spoke, "there were many burned in the said churchyard of the said Luther's books," and by 2pm the crowd of some estimated 30,000 onlookers was dismissed.[33]

Having received news of this event, Pope Leo wrote to Wolsey thanking him, "for his efforts in extirpating the Lutheran heresy," describing how he "has learnt from the king's letters, and those of the nuncio, the bishop of Ascoli, that the Lutheran books have been burnt at a meeting of the most eminent persons of the realm, and before a great concourse of people."[34] Now that Henry and Wolsey had given the pope what he wanted with respect to Luther, their minds turned to what the pope could give England in return.

In 1515, the pope had considered granting Henry a title similar to the designations held by the "Most Christian King of France" and the "Most Catholic King of Spain." The title "Defender of the Faith" had been proposed by Rome as early as 1516, but to date it had not been granted. Having publically proclaimed the loyalty of his realm to the Church, Henry could expect that the pope would soon confer the coveted title.[35] Following from his public and private actions to support the Church, Henry's new title would symbolize the potency of the king's power bound up as it was in religious authority. After all, the book burning itself had been orchestrated for diplomatic effect and had shown how a secular king could use religion as a means to advance his own power and political agenda.

As if that were not enough, Henry was also busy writing his *Assertio*, which he intended to market as another public display of religious and political power. Confirming Henry's ambitions, Cardinal Campeggio would write to Wolsey just two months after the book burning

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[33] Luther's Writings, 12 May 1521, in Brewer et al., eds., Letters and Papers, III, part I: 485; Meyer, "Henry VIII Burns Luther's Books," 186.

[34] Leo X to Wolsey, 7 June 1521, in Brewer et al., eds., Letters and Papers, III, part I: 535.

[35] N.S. Tjernagel, Henry VIII and the Lutherans (St Louis, 1965), 7.

that "the College of Cardinals have been deliberating about conferring some title on the king of England, and will be glad to have Wolsey's opinion about it. Some propose *Apostolicus*, others *Protector*."[36] By 25 August 1521, the king's book was finished and instructions were given to the Dean of the Chapel Royal, John Clark, on how the volume was to be presented to the pope. Covered in a cloth of gold and subscribed by Henry's own hand, the presentation copy of the *Assertio Septem Sacramentorum* was presented to Pope Leo in October 1521. Kneeling before the papal throne, Clark delivered an oration to Leo on the occasion of the book's presentation, extolling Henry's humility, piety, and learning. In response to Clark's speech, Leo rejoiced that Henry, "with his Sword, has totally subdued the Enemies of Christ's Church, Enemies, who like the Heads of the Hydra, often cut off, and forthwith growing up again." The very next day, Leo issued his *Bulla pro Titulo Defensoris Fidei*, declaring Henry VIII "Defender of the Faith." In receiving that long awaited title, however, Henry made it clear that his efforts on behalf of the Church were as relevant to his secular power as they were to his religious standing. Just as Leo used militaristic language in commending Clark's presentation of Henry's book, the king himself wrote in the letter to the reader near the beginning of his volume,

> that we arm ourselves with a two-fold Armour: the one *Celestial*, and the other *Terrestrial*. With a *celestial* Armour; That he, who, by a feigned and dissembled Charity, destroys others, and perishes himself, being gained by true Charity, may also gain others; and that he who fights by a *false Doctrine* may be conquered by *true Doctrine*: With a *terrestrial*; that, if he be so obstinately malicious, as to neglect holy Councils, and despise God's Reproofs, he may be constrained by due Punishments; that he who will not do Good, may leave off doing Mischief; and he that did Harm by the Word of Malice, may do Good by the Example, of his Punishments.[37]

[36] Campeggio to Wolsey, 27 June 1521, in Brewer et al., eds., Letters and Papers, III, part I: 548.

[37] Rev. Louis O'Donovan, ed., Assertio Septem Sacramentorum (New York, 1908), 165, 170, 187-88.

Henry's particular use of language in the preface to his own work in defense of the Church shows just how much politics was intertwined with what might appear to be an act of religious devotion. For Henry, it was of course much more. Not only did this work earn him a title on par with the "particular Favours bestowed upon Catholic Princes" on the continent, but it was also a means by which the king could broadcast his power and authority at home and abroad.[38] Specifically, Henry's line threatening punishment to those who "did Harm by the Word of Malice" stipulates that the coercive action of the state is executed in order to "do Good by the Example, of his Punishments." This is precisely what the religious authority of the monarch was intended to impress upon his subjects. For Henry, "religious uniformity was the bond of society …just as it was in Innocent III's Europe, Calvin's Geneva, and Luther's Saxony."[39] By appropriating the power and authority of the Church to his own person, Henry was able to increase his own power by making a decisive stand against heresy. Now titled as the Defender of the Faith, Henry would continue to persecute heretics at home with the overt intent of making a public display of royal religious authority. As priorities shifted with the advent of the king's divorce, however, the ecclesiastical authority Henry would accumulate during this campaign would ironically lay the foundation for his later separation from Rome and declaration of complete control over the English Church. The advent of this transition, and its consequences for Church-state relations on the eve of the English Reformation, would reveal just how subtle this consolidation was, and how profound its effects would be.

A Tale of Two Sermons: the 1526 Book Burning and Bishop Fisher's Offer

[38] Ibid., 166.

[39] Clebsch, England's Earliest Protestants, 283.

Following the 1521 book burning at St. Paul's and the publication of Henry's *Assertio*, Lutheran influences within England declined. For the most part, English anti-heresy efforts during this time were concentrated on scholastic debate and polemical input to European controversies. In January 1524, for example, Henry VIII wrote to Frederick, John, and George, Dukes of Saxony. Saxony, of course, was Luther's native land in Germany and the place where his heresy had first taken root. Asking them to "restrain the Lutheran faction," Henry's request seems to have been motivated in large part by Luther's reply to his own book, which he says "surpasses all his previous fury and folly." For his part, Henry goes on to explain that he "cannot answer the book, as [Luther] writes nothing to the purpose, giving ravings instead of reasons. Any one who fairly reads the King's book," Henry adds, "will easily judge that Luther's follies have been sufficiently answered." The king's letter, however, is interesting beyond his critique of Luther's rebuttal to the *Assertio*. Warning that "No faction was ever so universally pernicious as this Lutheran conspiracy," Henry warns that this "poison is producing dissension in the Church, weakening the power of the laws and of the magistrates, exciting the laity against the clergy, and both against the Pope, and has no other end than to instigate the people to make war on the nobles, while the enemies of Christ look on with laughter." Here, Henry advances his immediate concern regarding the proliferation of Lutheranism. Like any heresy, it threatens the unity of the body politic. Specifically, however, Henry condemns Luther's doctrines as striking at the core of religious and political authority within his realm and that of every other Christian monarch. The fact that Henry would extol papal supremacy when his realm was threatened with politically subversive heresies and later argue vehemently against it when Catholicism became politically impractical reveals just how closely religious policy was tied to the political context of the times.

As long as Lutheranism remained a threat, however, it would be the policy of Henry and his government to eradicate it before it could threaten the king's authority.[40]

The next wave of this anti-heresy policy directed at this threat within England itself was occasioned by William Tyndale's publication of an English translation of the New Testament in Cologne. News reached Cardinal Wolsey of this translation shortly before Christmas 1525, and immediate action was taken to quell what Wolsey and his subordinates saw as a Lutheran plot to import heretical books into England.[41] In a letter to Wolsey on the subject of what action was to be taken, the Bishop of Lincoln reported that in a meeting with the king he "mentioned Wolsey's proposal for making a secret search in several places at once, and that Wolsey would be at the Cross with the clergy, and have a notable clerk to preach against Luther and those who brought Lutheran books into England; after which proclamation should be made for all who possessed copies to bring them in by a certain day, on which sentence of excommunication should be fulminated against all who disobeyed, and those convicted compelled to abjure or be condemned to the flames." Furthermore, the bishop explained to the king that "Wolsey would bind the merchants and stationers under recognizances never to import them. The King approved the plan, especially as to the recognizances, which many would fear more than excommunication, and thought my lord of Rochester would be most meet to make the sermon."[42] This was the outline for a second book burning that would take place at St. Paul's Cathedral in London on February 11, 1526. Ultimately, the execution of this ceremony, strikingly similar to its 1521 predecessor, would reveal a divergence between how the Church sought to remedy the domestic problem of

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[40] Henry VIII to Frederick, John, and George Dukes of Saxony, 20 January 1524, in Brewer et al., eds., Letters and Papers, IV part I: 17-18.

[41] Craig D'Alton, "The Supression of Lutheran Heretics in England, 1526-1529," Journal of Ecclesiastical History, LIV (2003): 229.

[42] John Bishop of Lincoln to Wolsey, 5 January 1525, in Brewer et al., eds., Letters and Papers, IV, part I: 434.

heresy and how the state would later tackle that same issue. In the end, it will be apparent that the state's model for subduing heresy was closely linked to its political goals, and reflected more than anything else a desire to use religion as a means to augment the authority of the king, despite the theological consequences.

At this time, however, the circumstances that would lead to a rupture between church and state in England had not yet come to pass, and the king enthusiastically endorsed Wolsey's plan. In that same letter to the Cardinal, the Bishop of Lincoln recalled how, "His highness is as good and gracious in this in this quarrel of God [as could be] thought, wished, or desired, and...as fervent in this cause of Christ and his church, and maintenance of [the same,] as ever a noble prince was."[43] As mentioned in the letter, the plan began with a coordinated search for heretical books at key locations throughout London and at Cambridge. Thomas More himself led the London raid, which turned up several suspects among the Hanse merchants of the London Steelyard. This district, which by the way had no connection to iron or steel, was home to a substantial German merchant community that even had its own parish church. Not surprisingly, More and his colleagues discovered a number of books and enough evidence to arrest four of the merchants on suspicion of heresy. According to a letter from the merchants to the burgomasters and councilors of Cologne describing the raid and its subsequent effects on trade, More seems to have let an entire day elapse between the initial raid and his later search for heretical books.[44] Had he not been guilty of such sloppy police work, More might have found many more books than he actually did. At Cambridge, the raid failed to discover any books whatsoever, although Augustinian prior Robert Barnes was arrested for preaching heresy at the University.[45]

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[43] Ibid.

[44] D'Alton, "Suppression of Lutheran Heretics in England," 231.

[45] Ibid., 234.

In all, these two raids combined delivered five suspects to the authorities who were subsequently examined and sentenced to abjure their heresies at the ceremony at St. Paul's. During the examination itself, led by John Clark (who had presented Henry's *Assertio* to Pope Leo back in 1521 and was now the bishop of Bath and Wells), the Hanse merchants were questioned on whether or not they knew about Luther's condemnation and the banning of his books in England, whether they were "pleased at the reading of these books, or with any opinion of Luther's," whether they were aware of the penalties imposed on those who favored or defended Luther, whether they believed the Pope to be the head of the Church, whether they had eaten meat on fast days, and why the Mass celebrated at the parish of All Hallows the Great for the Fellows of the Steelyard had been discontinued.[46] In reply to this exhaustive questionnaire, one Hans Ellerdorpe replied that he had "found a treatise of Luther's in a chamber of one of his master's agents, on whose death he took possession of all his master's goods."[47] Another, Herbert Bellendorpe, acknowledged that he had "heard of the condemnation of Luther's books, and was in London when they were burnt in St. Paul's churchyard" back in 1521.[48] Little did he know that he would soon participate in a repeat of that very ceremony, albeit this time as an object of condemnation rather than as a simple spectator. The two other suspects also acknowledged having read portions of Luther's work, and some of their answers to the questions posited to them by Clark and his associates reveal more about their background then any conscious inclination toward heresy. Hans Reusell, for example, responded "that he thinks the Pope is on a level with other bishops, and has no more power than they." He had, however, "heard this stated

[46] Wolsey's Proceedings against Heretics, 8 February 1526, in Brewer et al., eds., Letters and Papers, IV, part I: 884-86.

[47] Ibid.

[48] Ibid.

in sermons in his own country, and also in general conversation. Now, however, he believes as the Church believes, and acknowledges the Pope, with all Christians, to be the Church."[49] Overall, it is clear from the surviving trial transcripts the merchants were far from ideologues who were working to promote Luther and his ideas. Rather, as German nationals, they had been exposed to Luther as any contemporary German would, and had the misfortune to bring that influence with them to England.

Unlike the first public demonstration against Lutheranism in 1521, the 1526 book burning was not affected by overt political interests. Instead of impressing foreign dignitaries with England's commitment to orthodoxy, this ceremony was intended to show the population at large that real penalties would be imposed for heresy, and warn any would-be heretical book importers that trading in Lutheranism would be bad for business. Despite these differences, there were many similarities between the first and second book burnings at St. Paul's. First, the venue was of course the same. Furthermore, Bishop Fisher would also preach at the second ceremony, this time advocating a new approach to dealing with heresy that would reflect the interests of the church rather than the political motives of the state. Over time, the abandonment of this platform in favor of a state-controlled campaign of heresy prosecution would work to usurp the Church's authority and mold religious policy to reflect political considerations. When Bishop Fisher addressed the abjured heretics and the crowds at St. Paul's in 1526, however, he preached a new message of reconciliation and personal reformation that would take place outside the public square. Because the crowds in the cathedral that day were so large and rambunctious and his

[49] Ibid.

sermon could not be heard, Fisher printed his remarks (along with a preface) following the actual ceremony.[50] In the preface, Fisher announced,

> if it may lyke the same disciple [of Luther's] to come unto me secretly, and breake his mynde at more length, I bynde me by these presentes, bothe to kepe his secreasy, and also to spare a leysoure for hym to here the bottom of his mynde, and he shal here myne agayne, if it so please hym: and I trust in our lorde, that finally we shall so agre, that either he shal make me a Lutheran, orels I shal enduce hym to be a catholyke, and to folowe the doctrine of Christis churche.[51]

This was a stark deviation from what had typically characterized anti-heresy efforts in England to date. Specifically, Fisher was offering for those who might have doubts concerning the veracity of Catholic teaching to come to him privately and work out their questions without fear of retribution or reprisal. Going to the core of the Church's mission, Fisher's agenda was to save souls and evangelize the faith, not to threaten public punishment for the example of others. The text of Fisher's sermon also corresponds with his stated agenda for dealing with heresy. Telling the story from Luke's gospel about the man born blind, Fisher recounts how this man cried out for mercy from Christ and was eventually brought to him so that he could be cured. Connecting this passage to the matter at hand, Fisher explains how,

> By this worde and other suche/ Martyn Luther hath taken occasion of many great errours: wher by he hath blynded many a christen soule/ and brought them out of the way/ sayeng that onely faythe doth iustifie vs and suffiseth to our salvation. Wherby many one litell regardeth any good workes/ but onely resteth vnto fayth. This gospell therfor may sufficiently instructe any reasonable man/ what fayth suffiseth/ and what nat. For it maruelously perteyneth to this purpose/ if we with any diligence obserue and marke euery mistery therof.[52]

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[50] D'Alton, "Supression of Lutheran Heretics in England," 236.

[51] Cecilia A. Hat, English Works of John Fisher, Bishop of Rochester (New York, 2002), 147.

[52] Ibid., 148.

Directing his words at the accused heretics themselves, Fisher admonishes "ye that nowe be abiured take hede," and proceeds to explicate the similarities between the blind man in the gospel parable and the heretics standing before him. "Fyrst," Fisher begins, "that...man was singular by hym selfe: and so the heretikes studie to be singular in theyr opinions. Singularite and pride is the grounde of all heresie." Next, "This man was blynde/ and had lost his sight. And the heretikes/ by the errour of false doctrines and of peruersed heresies/ be blynded in theyr hartes/ and haue nat the clere light of faithe." Third, "This man sate out of the right way/ and walked nat: And so lyke wise these heretikes sytte out of the right waye/ and walke nat in the iourney towarde heuen." Finally, Fisher concludes that "This man was devided from this people/ amonge whom Christe Iesu was: And so be the heretikes like wise: they be devided from the churche of Christe/ with whom our saviour Christe continueth vnto the worldes ende." Fisher does not stop, however, at a mere comparison. He goes on to teach how heretics, like the blind man, can be "cured" and brought back into the fold of Christ and His Church. Allegorically, Fisher explains how just as the blind man's healing was initiated by hearing Christ, the heretics' conversion must be the fruit of hearing God's word. Next, the heretic must ask for mercy, just as the blind man did. Furthermore, since the blind man was brought to Christ, so must heretics be brought to and "reduced vnto the wayes of the churche." Having passed through these steps, the heretic must finally assent to the teachings of the Church, similar to how Christ made the blind man "confesse his full assent" to the healing.[53]

Here, Fisher segues from the gospel parable and its application to the heretics being abjured to a critique of Luther's theology on justification. Whereas Luther had argued that man's works could not justify him because they were the fruit of a sinful and depraved nature, Fisher

[53] Ibid., 150-151.

argues that "Our sauiour saith/ nat only Fides / but Fides tua." As such, "By our assent faith (whiche cometh from aboue) is made ours. But our assent is playnly our worke. Wherfore at the least one worke of ours ioyneth with faith to our iustifienge." Moving on to the parable of the sower who casts his seed on good and bad soil, Fisher extrapolates that the sower is God himself, who plants his seed among humanity to bear the fruit of salvation. Likewise, since Christ promised to be with His Church forever, and sent the Holy Spirit among men after His ascension, Fisher argues that the Church has been charged with sowing the seed of the gospel for the past fifteen hundred years, and in her alone is to be found the truth preached by Christ. Again admonishing the abjured heretics before him, Fisher recommends, "Therfore if ye loue your owne soules/ nowe flee this doctryne hens forwarde: and ioyne you vnto the doctryne of the churche/ and beleue as the churche beleueth: that I may saye vnto eche of you: Respice/ fides tua te saluum fecit: Open thyne eies/ for this faithe/ that nowe thou haste/ beleuynge as the churche of Christe beleueth/ hath saued thee."[54]

Bringing together the two gospel parables in his sermon, Fisher first uses the story of the blind man to illustrate the predicament of heretics and how they too can be saved. Furthermore, he uses the parable of the sower and his seed to reveal that the Catholic Church is the one true faith established by Christ and confirmed by the presence of the Holy Spirit who has guided her clergy to sow the seed of Christ's gospel for centuries. Tying these two together, Fisher makes it very clear that the conversion of heretics is the exclusive role of the Church, which alone has the truth of Christ necessary for salvation. Not only is this role reserved for the Church, but it is to be accomplished with mercy and forgiveness, with the ultimate goal being the salvation of the wayward soul, not its punishment and condemnation.

[54] Ibid., 152-153, 158-159.

This platform expands upon Fisher's earlier sermon on the same subject from 1521. Then, he had also addressed the subject of the indefectibility of the Catholic Church, explaining that Christ "dyd promesse that after he had ascended vnto his father he wold send to her the holy spyryte of god. The spirit of trouthe. That should abyde with her for euer."[55] At the 1521 book burning, however, Fisher was not addressing individual heretics. Instead, he spoke to a great mass of common people together with some of the leading nobles and prelates of the realm accompanied by a throng of foreign ambassadors and dignitaries. As such, his tone towards heretics is more severe and less remedial, declaring that that "the herytykes hath persecuted the chirche from the ascension of Christ & shall do so unto the comynge of antichryst." Furthermore, Fisher continues, "the persecucyon of the herytykes is & was evermore perilous for as for the Jewes & the tyrauntes they were manifest enemyes unto chryst & abhorred his scriptues." He also accuses heretics of "misconstruing the scriptures of god by theyr false doctryne & erronyous opinions & pestilent heresyes doth slee the souls of christen people & send them to euerlastying damnacyon."[56] Here, Fisher attributes to heretics a conscious intent to deceive good Christian people and condemn their souls to hell. Considering the context, however, Fisher was speaking more about Luther himself than his misled followers, who he later addressed with charity in 1526. If anything, a comparison between these two sermons reveals that Fisher's view towards heresy and heretics somewhat modified depending on the circumstances of his sermons. These circumstances, in turn, reveal much about the goals of both the Church and the state when it came to suppressing heretical opinions. Whereas Fisher gave his 1521 sermon during a public display of royal propaganda, his second sermon was delivered in a pastoral context, addressing

[55] Mayor, ed., The English Works of John Fisher, 313.

[56] Ibid., 340.

wayward members of his flock. Reflecting a broader difference between the state's role in suppressing heresy and the Church's responsibility to reform heretics, Fisher's two sermons show how the condemnation of heresy within a politicized context was intended to attack the subversive doctrines in question and those who promulgated them. In a more pastoral setting, however, the goal of the Church as expressed in Fisher's second sermon is to reform the heretic as a prodigal son, not to make an example of him. Fisher's own invitation to private disputation and personal reformation in the preface to the printed version of his sermon is proof enough of this benign intention, which was put into practice until Thomas More's appointment as Lord Chancellor ushered in a new wave of anti-heresy tactics.

During this period prior to More's ascendency, accused heretics like Thomas Bilney, Thomas Arthur, Robert Forman, and Thomas Garrett were all dealt with privately, "rather than to make a public show and advertise Luther's opinions further."[57] Thomas Garrett, for example, was arrested by Wolsey's agents on 14 February 1528 for selling Lutheran books at Oxford University. Not only was secrecy paramount in Garrett's apprehension and imprisonment, but also in the authorities' dealings with him and the young scholars that he had corrupted through his book sales. On 8 March 1528, Archbishop of Canterbury William Warham wrote to Wolsey on behalf of Oxford predicting that "it would create great slander if all now suspected were brought to London [for trial]; [he] desires, therefore some commission may sit at Oxford, to examine, not the Heads, but the novices."[58] This not only reveals Warham's desire to spare the university the embarrassment of a public heresy trial, but also signals support for Fisher's policy of charity outlined in 1526. Rather than dealing with suspected heretics in public, the Archbishop

[57] D'Alton, "Supression of Lutheran Heretics in England," 241.

[58] Warham to Wolsey, 8 March 1521, in Brewer et al., eds., Letters and Papers, III, part I: 449.

urged that they be dealt with locally and in private, so that their opinions might be reformed before greater damage could be done.[59] Warning that public trials "shuld engender grete obloquy and sclandre to the Universitie, bothe behyther the See and beyonde, to the sorrow of all good men, and the pleasure of heretyks, desyering to have many followers of thayr mischief," Warham recommends that when it comes to dealing with the wayward young scholars, "the less brute the better."[60] True to these sentiments, the English campaign against Luther during this time saw no executions for heresy. On the contrary, every effort was made to privately reform the views of those accused, and as Warham's letter regarding the Oxford scholars indicates, this was a plan that had support within the church hierarchy.

Whereas the state had used the example of heresy in 1521 to put on a massive display of royal power and authority, Fisher's plan revealed an altogether different agenda that illustrates a fundamental difference between the policies adopted by the Church and the state regarding heresy at the time. Rather than create public show trials and executions for the example of others, Fisher's understanding of the Church's role in the controversy was to first and foremost save souls and reconcile divergent opinions with the truth of Christ and His Church. Furthermore, this method had the advantage of keeping heresy out of the public eye, and reforming wayward scholars and academics before they could become protestant evangelists. By comparison, the state's policy of public punishment for the example of others tended toward the objective of solidifying the monarch's authority and the eradication of any religious disturbances that could undermine his power. This divergence in methods for dealing with the same problem reflects not only the respective goals and objectives of the Church and the state, but also reveals how Henry

[59] D'Alton, "Supression of Lutheran Heretics in England," 250-51.

[60] Archbishop Warham to Cardinal Wolsey, 1521, in Sir Henry Ellis, ed., Original Letters, Illustrative of English History (London, 1846) III, part I: 242.

VIII could use his religious power as king in order to serve his own political aims. In the end, the growing influence and power of the English state with regard to prosecuting heresy under the chancellorship of Sir Thomas More would irrevocably set the stage for a heightened royal control of religious policy and the subsequent decline of the Church's independence in England.

The King's "Great Matter" and the Fall of Cardinal Wolsey

As argued by historians advocating a top-down interpretation of the English Reformation, the king's wish to divorce Queen Catherine of Aragon was the ultimate catalyst for Henry's separation from Rome and declaration of supremacy over the Church in England. As will be seen, the policies pursued by the crown with regard to the prosecution and adjudication of heresy cases helped make this transformation possible, but were by no means envisioned as a conscious effort to bring about the end that they eventually facilitated. Within the context of the king's "great matter," however, the consolidation of ecclesiastical authority in the hands of the state would help bring the Church even more under Henry's control at a time when this power was essential to achieving the king's most pressing domestic policy initiative.

By the mid 1520's, Henry VIII came to believe that his 1509 marriage to his brother Arthur's widow Catherine of Aragon was invalid and even sinful. Having failed to produce a male heir to the throne and thus secure the continuity of the Tudor line, Henry's marriage became for him a curse that he needed to annul in order to secure God's blessings on the royal succession. To even marry Catherine (who was his brother's widow), however, Henry had to receive a dispensation from the previous pope, Julius II. The issue was further complicated by Henry's growing infatuation with Anne Boleyn, a lady in waiting at court who the king quickly

became enamored with sometime in the mid 1520's.[61] Anne, however, refused to succumb to the king's charms and would not agree to be his mistress, as her sister before her had done. Rather, she insisted on marriage as a condition of any romantic relationship with the king.

Another wedding, however, would require a papal annulment of Henry's current marriage from Queen Catherine. This was made all the more difficult by the political situation on the continent. Charles V, who ruled both Spain and the Holy Roman Empire, was the nephew of Catherine of Aragon. In 1527, his armies sacked Rome, leaving Pope Clement VII little room to make a decision that would most likely offend Charles and his family. As a caveat to satisfy both Henry's desires and Charles' familial interests, the pope gave his dispensation in the autumn of 1527 for Henry to marry Anne, provided his marriage to Catherine was declared invalid.[62] Following more negotiations, the pope gave permission for a general commission to be established to hear the case, headed by Cardinal Wolsey and Cardinal Campeggio. Although Catherine appealed in March 1529 to have her case heard in Rome, the legatine court appointed to hear the case was initiated in England in May. This lasted until 23 July, when Cardinal Campeggio adjourned the proceedings to coincide with the summer recess of the papal court in Rome. The day before, Pope Clement granted Catherine's appeal and transferred the case to Rome.[63] Whereas Henry had intended for Wolsey to use his influence to obtain an annulment from the legatine court in England, the appeal of the case to Roman courts led Henry to conclude that Wolsey had betrayed him and used his power as papal legate to undermine the king's own authority. Summoned before the King's Bench "for obtaining legatine authority in England, to

[61] Solt, Church and State in Early Modern England, 13.

[62] Ibid., 15.

[63] Ibid.

the injury of the King's prerogative and the immunity possessed by the crown for 200 years," Wolsey died before the full brunt of Henry's malice could reach him.[64]

Within this context of the divorce crisis, England's campaign against Lutheranism began to assume a key role in the broader struggle between the monarchy and the Church. The month before he was to co-preside over the legatine court hearing Henry's case for an annulment, Cardinal Campeggio wrote to Rome reporting on the status of Lutheranism within England, explaining how during "these holy days certain Lutheran books, in English, of an evil sort, have been circulated in the King's court."[65] Lobbying the king to take this threat seriously, Campeggio,

> told the King that this was the Devil dressed in angels' clothing, in order that he might the more easily deceive, and that their object was to seize the property of the Church; nor could any one promise the abrogation of so much heresy as now largely pervades the people. I represented that by councils and theologians it had been determined that the Church justly held her temporal goods. His Majesty remarked that these Lutherans say that those decisions were arrived at by ecclesiastics, insinuating that now it is necessary for the laity to interpose. In reply I adduced various reasons, partly theological and partly temporal, telling him that this would be directly against his interests, for, as matters now stood, he obtained large sums of money; but if the laity had the goods of the Church this would no longer be the case, and they would probably grow rich and rebellious. The King also remarked that these men allege that the ecclesiastics, and especially the court of Rome, live very wickedly, and that we have erred in many things from the Divine law. I replied that I would allow there were sins in Rome and in the court, because we are but men, but the Holy See had not deviated a jot from the true faith.[66]

Revealing Henry's state of mind in the month preceding the opening of the papal court in England, Campeggio's letter gives some insights into the king's developing contemptuous attitude toward traditional church claims and authority. Although the king only seems to be

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[64] Cardinal Wolsey, 1 December 1529, in Brewer et al., eds., Letters and Papers, IV, part III: 2712.

[65] Campeggio to Sanga, 3 April 1529, in Brewer et al., eds., Letters and Papers, IV, part III: 2379.

[66] Ibid.

playing devil's advocate, his debate with Campeggio on the merits of Lutheran claims foreshadows Henry's willingness to give credence to those attacking ecclesiastical authority when doing so might pressure the Church to conform to his will. Since he no doubt wanted Campeggio and Wolsey to rule in his favor when they convened the annulment court the following month, Henry may very well have been placing England's loyalty to Rome on the table as a bargaining chip to ensure a favorable result. Despite these pretensions, Henry ended the conversation by telling Campeggio that he was of "good will, and that he had been and always would remain a good Christian."[67] Two months later, Campeggio heard back from Rome and learned that,

> The Pope was greatly pleased with what you said in conversing with the King on this subject, and also with the good mind showed by the King. Although the King is moved to this by his virtue, and may expect worthy rewards for it from God, you are to thank him infinitely on the Pope's behalf, and pray him firmly to maintain that shield of defense of the Church which he took up with so much glory to himself. You are also to thank the most illustrious cardinal of York, whose vigilance and prudence, combined with the King's good mind, has kept and keeps that island clear of such monsters. This result appears miraculous, considering how many times attempts have been made to introduce the infection into that most happy kingdom.[68]

Despite Henry's conversation with Campeggio in which he seems to give credence (even if only for the sake of argument) to Lutheran opinions, the Pope is quick to acknowledge and encourage the King's offer of goodwill and orthodoxy. If anything, this zealous response demonstrates what may have been uneasiness in Rome about Henry's religious and political loyalties, obviously raised by the now contentious question of his annulment. If Henry was asserting his spiritual

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[67] Ibid.

[68] Sanga to Campeggio, 29 May 1529, in Brewer et al., eds., Letters and Papers, IV, part III: 2479.

authority as king in the conversation he had with Cardinal Campeggio, then Rome was responding by encouraging the king to channel that authority in the right direction.

Even if Henry was not serious about acknowledging Lutheranism, however, his ambassadors in Rome were doing just that. According to an April 1529 letter to Charles V from his ambassador in Rome, Miguel Mai,

> The English ambassadors have lately pressed to get the dissolution of the marriage adjudged in England by the cardinals of York and Campeggio; and as they are half disappointed of that, they threaten with Luther and his sect. I treated this as a jest, and said that in such a case we should return the book [Henry's *Assertio*] to its author, which the king of England had written on this very subject, and strip him of the title of Defender of the Faith.[69]

While we cannot be entirely sure what Mai was referring to when he reported on the English ambassadors threatening with "Luther and his sect," it may be inferred that they were raising the possibility that England would abandon its loyalty to Rome should the pope not side with Henry in the annulment case. The political independence achieved by the German princes following their support of Luther's reformation was a headache for both the Emperor and the Pope. Should England's king defy them in the same manner, Rome could potentially lose everything it tried to protect by encouraging Henry's campaign against heresy in the early 1520's. With this in mind, Henry's ambassadors may have been giving a not so subtle hint that their king was going to get his annulment, even if it meant subjecting religion to the much more pressing issue of dynastic politics.

Despite their ominous undertones, neither of these two incidents can prove that Henry thought of himself as anything but an orthodox Catholic. The continued persecution of heretics under Thomas More's chancellorship would bear witness enough to the king's doctrinal inclinations. What this does demonstrate, however, is a willingness on the part of the king to use

[69] Mai to Charles V, 3 April 1529, in Brewer et al., eds., Letters and Papers, IV, part III: 2379.

religion as a tool to achieve personal and political ends. While the aggrandizement of religious authority by Henry's government in the adjudication of heresy cases would be one of the chief means by which the monarchy would increase its control over the Church, the context of the royal divorce provides an understanding for why the king would be interested in that authority to begin with. Henry's April 1529 dialogue with Campeggio, as well as the threats made by his ambassadors in Rome reveal that the King was prepared to tighten his control over the Church, even if it meant making an about face from his previous obeisance to Roman authority. Ironically, Thomas More's brief tenure as Lord Chancellor following Wolsey's death would do the most to increase the monarchy's control over the enforcement of religious policy in the final years of the divorce controversy, inadvertently paving the way for an increase in the monarchy's spiritual authority at the expense of the Church's power and independence.

The Final Transition: More's Fight against Heresy and the Advent of Royal Supremacy

Following the forced resignation of Cardinal Wolsey, Henry appointed Sir Thomas More Lord Chancellor of the realm in October 1529. Having made a name for himself as a lawyer, a humanist scholar, and an advisor to Henry, More had previously served the king as the master of requests and as a king's counselor. Aside from his administrative duties, More became a trusted friend and confidant of the king and was known to confer with Henry on a wide range of academic subjects, including astronomy, geometry, and divinity.[70] A scholar in his own right, More had been commissioned by the king in 1523 to write the response to Luther's reply to Henry's own *Assertio Septum Sacramentorum*. In his subsequent *Responsio ad Lutherum*, More

[70] G.W. Bernard, The King's Reformation: Henry VIII and the Remaking of the English Church (New Haven and London, 2005), 127-28.

made no secret of his contempt for Luther and his teachings, writing "while I clean out the fellow's shit-filled mouth I see my own fingers covered with shit."[71] More's talent as a polemicist was recognized by the Church as well, which granted him a license to own heretical books so "that he may write an answer to them in the vernacular tongue."[72] In keeping with his fierce doctrinal orthodoxy, More was a known opponent of the king's divorce, making his appointment as Lord Chancellor somewhat ironic since it followed Wolsey's failure to procure that same divorce for the king. Previously sounded out by Henry for his opinion on the matter in 1527, More tactfully indicated his reservations by explaining that "as one that had never professed their study of divinity, himself excused to be unmeet many ways to meddle with such matters."[73] Despite Henry's subsequent encouragement to consult with leading clerics and theologians on the matter, More refused to change his opinions, remaining "studiedly noncommittal" on the divorce until pressed with the Act of Succession in 1534.[74]

Until that point, however, More made every effort to distance himself from the question closest to the king's mind and focused instead on the uprooting and prosecution of heresy. Even before his appointment as Lord Chancellor, More had been very active in that endeavor, joining Wolsey in 1526 to organize a campaign against the importation of Lutheran books and leading a raid on the German steelyard in London in a search for heretical literature that same year.[75] As previously noted, this raid provided the impetus for Bishop Fisher's second sermon at St. Paul's

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[71] John Headley, ed., The Complete Works of St. Thomas More, Volume V, part I (New Haven and London, 1969), 311.

[72] Sir Thomas More, 7 March 1528, in Brewer et al., eds., Letters and Papers, IV, part II: 1788.

[73] Bernard, King's Reformation, 129.

[74] Ibid.

[75] John A. Guy, "Sir Thomas More and the Heretics," History Today XXX (1980): 13. The date given for More's raid in Guy's article is January, 1527, which appears to be mistaken. See D'Alton, "Supression of Lutheran Heretics in England, 1526-1529": 231.

in which he emphasized charity and the academic reformation of heretics as the optimal means to deal with Lutheranism. This approach had lost its appeal for More, however, who as chancellor oversaw the implementation of a much more severe anti-heresy program.[76] As far as More was concerned, the fight against heresy was still one of Henry's top priorities. While Wolsey and Campeggio's legatine court was still in session over the summer of 1529, for example, Henry had indicated his continuing interest in ridding the realm of Lutheranism, telling Cardinal Campeggio to "expedite this my business [the marriage], in order that I may apply my mind to these Lutheran affairs and then I will do all things."[77] More, however, was far less concerned with the king's "business" than he was with exterminating heresy.

The blueprint for More's agenda is contained in *A Dialogue of Sir Thomas More, Knight: Etc...*, better known by its abbreviated title, *A Dialogue Concerning Heresies*. In this 1529 publication, More presents a conversation between a young messenger sent by his master "not because of any doubt that [the messenger] had concerning many of those things that he would mention to me, but because of the doubt that [he] perceived in many others." The messenger's interlocutor in this exchange is "Master Chancellor," an obvious allusion to More himself. The *Dialogue* contains four parts, each devoted to analyzing numerous questions raised by the Protestant reformers and rebutting them with orthodox Catholic explanations. Dealing with issues like the authority of the Church versus sola scriptura, praying to saints, pilgrimages, the identity of the true church, and other contemporary religious controversies, More's *Dialogue* also showcases the author's thoughts on how heretics ought to be dealt with by both church and state. Not surprisingly, More advocates a strong secular response to heresy, empowering the

[76] Craig D'Alton, "Charity or Fire? The Argument of Thomas More's 1529 Dyaloge," Sixteenth Century Journal XXXIII, 1 (Spring, 2002): 52.

[77] Campeggio to Salviati, 21 June 1529, in Brewer et al., eds., Letters and Papers, IV, part III: 2523.

government to punish heretics by whatever means necessary in order to protect and preserve order in civil society. To that end, More lays the foundation for the state's ability to use coercive force against heretics by alluding to the struggle all Christian nations were taking part in against the Turks. Arguing that the use of force is not contradictory to the Christian gospel so long as its objective is the charitable defense of others, More argues that what "holds true with regard to all battles of defense, most especially holds true with regard to the battle by which we defend the Christian countries against the Turks, and that we defend one another from far more danger and loss, in terms of worldly possessions, bodily harm, and perdition of people's souls." Stating that princes and rulers have an even greater responsibility to protect those under their rule from such threats, More applies this principle to spiritual dangers, maintaining that "just as...rulers are obligated not to allow their people to be attacked by infidels, so are they as gravely obligated not to allow their people to be seduced and corrupted by heretics." Creating a tangible link between the state's duty to protect its people from armed threat and its responsibility to protect souls from the spiritual effects of heresy, More sanctions the use of temporal power in defense of the spiritual good. Spiritual chaos, after all, has temporal effects, leading to "people's souls being withdrawn from God, and their goods lost, and their bodies destroyed, by general sedition, insurrection, and open war, in the interior of their own land." All of this, of course, can be "easily prevented, by punishment of those few that are the first." While the principle of the state intervening to punish heresy even by death was nothing new to England or any other European nation at the time, More's insistence on abandoning the approach of charity and quiet reform advocated by Bishop Fisher in favor of more coercive state action leaves little doubt as to who he felt should have the power in the fight against heterodoxy.[78]

[78] Thomas More, Dialogue concerning Heresies (New York, 2006), 47, 469-70.

Backing his claim by example, More describes "two men who were accused of heresy to the highest-ranking prelate of this realm, and in what a kindly, fatherly manner, and generous also, he dealt with them." Explicitly referencing the Church's preferred method of dealing with heresy that had been expounded by Bishop Fisher in his 1526 sermon at St. Paul's, More asks the messenger, "what amendment did his gentle and courteous treatment make in their stubborn spirits? Were they not afterward worse than they were before?" Here, More argues that this method has failed to adequately address the problem, even going so far to imply that it has made the situation even worse, "[f]or first, given that [heretics] fall into heresy through pride, [the charitable approach] would make them prouder, [and] make them think all the more of themselves." The logical conclusion of More's argument as such is that the state should exercise its worldly power to suppress the dangers threatening orthodox belief. As for the role of the clergy in that system, More advances the position that they themselves do not condemn the heretic to death; rather, if they are forced to excommunicate an obstinate heretic, that individual is left to the state for punishment. While the messenger debates this issue with More and proposes that "the bishop does as much as kill [the heretic] when he leaves him to the secular authorities," More's argument convinces him that "it is quite evident that the clergy are not in this matter to be blamed, as many think. For it seems that the severe punishment of heretics is devised not by the clergy, but by civil authorities and good laypeople, and not without great cause." Overtly pointing out the responsibilities of the secular administration in the fight against Lutheranism, this portion of the *Dialogue* advances More's policy of transferring greater responsibility to the state in the adjudication of heresy cases. According to More's argument, the laity has the responsibility to use force, even violent force if necessary, to prevent the death of souls and the disintegration of society. While the spiritual arm can make doctrinal

pronouncements and inflict spiritual penalties like excommunication, the secular arm has the obligation to use its power to enforce religious policy.[79]

While More's arguments in the *Dialogue* are very explicit, how well was he able to convert them into actual practice during his chancellorship? And assuming that he was able to accomplish this, how did this new phase in the English anti-heresy campaign help lay the foundation for the king's supremacy over the church? These questions are partially answered by examining the official governmental response to heresy during More's tenure as Lord Chancellor, as well as the effects this policy had on the state's relationship with the church during this initial phase of the English reformation. It is somewhat ironic that October 1529 witnessed More's appointment as Chancellor and the commencement of the so called Reformation Parliament. While More's fierce orthodoxy and loyalty to Rome would put him at odds with that parliament just a few years later, his assertion of secular authority in the religious sphere would end up facilitating much of the legislation that slowly but surely cut England's ties with the Catholic Church.

Before More began to put the theory outlined in his *Dialogue* into practice, however, the Church made a final attempt to combat heresy on its own terms. With the fall of Cardinal Wolsey, England's aged Archbishop of Canterbury, William Warham, stepped to the forefront of the anti-heresy campaign and attempted to address the problem by calling for clerical reform and the use of academic propaganda both to bolster the church's credibility and convince people of the errors advocated by heretics. While Warham's short lived campaign predates More's increasingly militant efforts, it too reflects a subtle acknowledgment of the state's increasing authority over the church in religious matters. The hallmark of Warham's brief attempt to tackle

[79] Ibid., 465, 470-71, 485-86.

the heresy problem was his *Publick Instrument* of 12 May 1530. Employing a strategy of education, Warham sought to educate the public about the many errors contained in heretical writing. To that effect, the *Publick Instrument* compiled passages from the writings of William Tyndale and others, along with commentary written by clerics and academics from Oxford and Cambridge. As Craig D'Alton has previously noted, this was a risky strategy in so far as it publically presented heretical writings to the population at large in order to refute them, rather than keeping heresy proceedings behind closed doors. As such, it marks a mid-way point between Bishop Fisher's campaign of charitable reform and Thomas More's aggressive policy of suppression. For the purpose of this analysis, however, the most interesting aspect of Warham's treatise deals with the king's authority in religious matters, specifically matters concerning heresy and doctrinal orthodoxy. In the sermon that concludes the *Publick Instrument*, for example, Henry is "like a noble and vertuouse prince" said to be concerned "most chiefly regarding the welthe of [his subjects'] soules." As D'Alton has further explicated, this document frames the church's actions concerning heresy in the context of Henry's spiritual concern for his people, granting the monarchy spiritual power and oversight on a much more direct level. During his tenure as Lord Chancellor, Thomas More would help to translate that theoretical oversight into practical royal power by casting the state as the ultimate authority in the struggle against heresy.[80]

Soon after Sir Thomas More began his tenure as Lord Chancellor in October 1529, Bishop Warham's intermediate heresy strategy (short-lived as it was) began to fade away in favor of a much more aggressive policy, with the leading role played by the state and secular officials instead of the Church and her bishops. When the new Lord Chancellor opened

[80] Craig D'Alton, "William Warham and English Heresy Policy after the Fall of Wolsey," Historical Research LXXVII, 197 (2004): 348-50.

parliament on 3 November 1529, he immediately set the agenda for an all out campaign against heretical beliefs that would make up for what More saw as an ineffective effort by the Church to do the same under Cardinal Wolsey.[81] Allowing heretics to recant and amend their ways (as Bishop Fisher's 1526 sermon proposed) simply gave them the opportunity to flee abroad and continue in their errors. More wanted to end the problem at its source by ensuring that dangerous ideas went with their originators to the stake, and not to the nearest printing press across the Channel. Condemning Wolsey for leading the king's faithful people astray, More told the newly assembled parliament that "divers new enormities" were plaguing the realm, and that "no law was yet made to reform the same."[82] The "reform" More was referring to, of course, was a tougher crackdown on heresy. Despite his passion, however, More's plea fell on deaf ears. Far from enacting any parliamentary legislation against heresy, the body More spoke to in November 1529 would soon turn its attention to the reform of ecclesiastical abuses, passing some of the most anti-clerical legislation in English history that would ultimately sever the realm's spiritual ties with Rome. For the time being, More would have to pursue the heresy agenda through his own powers as Lord Chancellor, issuing and enforcing proclamations that mirrored many of the stances he had taken in his *Dialogue*.

How More addressed this problem, and the effects it had on the transfer of authority from the Church to the state, can be seen in part by comparing two similar proclamations enforcing statues against heresy from this period. The first, published sometime before 6 March 1529, predates More's appointment as Lord Chancellor. The second, from 22 June 1530, is a product of More's campaign and generally marks the beginning of his public efforts to eradicate heresy

[81] G.R. Elton, Reform and Reformation: England 1509-1558 (Cambridge, 1977), 127.

[82] Ibid., 123.

while in office.[83] Referencing the "many devout laws, statues, and ordinances for the maintenance and defense of the said faith" that were promulgated by Henry's predecessors, the 1529 proclamation builds on those precedents by warning against Lutherans and Lollards who will introduce sedition and corruption into England "unless his highness (as defender of the faith) do put to his most gracious help and authority royal" to extirpating heresy.[84] Here, the king's title is explicitly mentioned in the context of fighting heresy, mirroring the similar language describing Henry's spiritual concern for his subjects that would be found in Archbishop Warham's *Publick Instruction.* Acting in that role, the king "like a most gracious prince...willeth and intendeth to provide with all convenient expedition that his noble realm may be preserved from the said pestiferous, cursed, and seditious errors."[85] As such, while the king's title as defender of the faith is acknowledged, his role as defined by this document pertains simply to the facilitation of the church's efforts to combat heresy. Specifically, the secular government is not allocated any direct responsibilities beyond what it traditionally held with regard to the adjudication of heresy cases. Rather, the 1529 decree against heresy acknowledges the traditional power of bishops to collect heretical literature, arrest individual heretics, "keep them under safe custody in their prisons," and levy fines for punishment in heresy cases.[86] To the extent that they are involved in cases in which the bishop has the power to excommunicate a relapsed heretic and hand him over to the secular arm, lay officials "shall be personally present at the sentence given by the said bishop or commissaries thereunto required, and after the said sentence given, shall

[83] Guy, "Sir Thomas More and the Heretics," 14.

[84] Enforcing Statutes against Heresy; Prohibiting Unlicensed Preaching, heretical books, before 6 March 1529, in P.L. Hughes and J.F. Larkin, eds., Tudor Royal Proclamations: Volume I 1485-1553 (3 vols.; New Haven and London, 1964), I: 181-82.

[85] Ibid., 182.

[86] Ibid., 183.

receive the said persons and every of them, and put them to further execution, according to the laws of this realm."[87] Of even further interest here is the respect paid to the laws of the Church with regard to legal proceedings against accused heretics. On multiple occasions, the decree mentions "the law of Holy Church" when referring to the standards that are to be observed in prosecuting and sentencing heretics. The ultimate interpretation and enforcement of this law is left to the bishops, who are to be assisted when need be by secular officials. In no way, however, does the state appear to be claiming ecclesiastical jurisdiction for itself. On the contrary, the proclamation goes so far as to deny authority to secular officials when a more competent ecclesiastical body can handle a heresy case. For example, since "cognizance of heresies, errors, and Lollardies appertaineth to the judge of Holy Church and not to the judge secular, the persons so indicted [are] to be delivered to the bishop of the places or their commissaries" by the secular officials who have arrested them.[88] Even though the king is acknowledged as the benign protector of the realm's faith and spiritual well being, that protection seems to be more passive than active.

This stands in contrast to the message contained within More's 1530 proclamation on the same subject, which allocates a much more vigorous role to the state in dealing with religious dissent. While both proclamations are concerned with forbidding erroneous books and enforcing statutes against heresy, the power given to the state with regard to doing so in the second document reflects a much broader secular jurisdiction over religious matters. In particular, while the 1529 proclamation defers the adjudication of heresy cases to the bishops and to Church courts, More's June 1530 decree commands "all mayors, sheriffs, bailiffs, constables,

[87] Ibid., 184.

[88] Ibid.

burseholders, and other officers within this his realm" to bring arrested heretics "to the King's highness and his most honorable council, where they shall be corrected and punished for their contempt and disobedience, to the terrible example of other like transgressors."[89] Whereas the first declaration ordered "the said officers and ministers...to assist the said bishops and commissaries by virtue of the King's laws and statutes," the second document's insistence that offenders be brought straight to the king's council reflects a profound shift in the state's role with regard to an issue formerly left to the Church's jurisdiction.[90] Now, rather than merely facilitating the bishops' efforts, the secular government would apply itself to the direct enforcement of anti-heresy laws.

The rationale behind this transition is also revealed in a close analysis of these two proclamations. Just as Henry used a secular justification for his work against Luther in the early 1520's, the growth of secular jurisdiction in extirpating religious dissent is evident in the temporal concerns that are recognized within the 1530 document. Here, heresy is not only a danger because it intends "to pervert and withdraw the people from the Catholic and true faith of Christ," but also because it provokes "them to sedition and disobedience against their princes, sovereigns, and heads, as also to cause them to contemn and neglect all good laws, customs, and virtuous manners, to the final subversion and desolation of this noble realm."[91] As such, religious orthodoxy and uniformity are necessary to preserve the social order. Hence, it comes as no surprise that the state would gradually consolidate the powers traditionally attributed to the

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[89] Prohibiting Erroneous Books and Bible Translations, 22 June 1530, in Hughes and Larkin, eds., Tudor Royal Proclamations, I: 195.

[90] Enforcing Statutes against Heresy; Prohibiting Unlicensed Preaching, Heretical Books, Before 6 March 1529, in Hughes and Larkin, eds., Tudor Royal Proclamations, I: 184.

[91] Prohibiting Erroneous Books and Bible Translations, 22 June 1530, in Hughes and Larkin, eds., Tudor Royal Proclamations, I: 194.

Church unto itself in an effort to preempt the societal chaos that would naturally flow from the widespread adoption of heretical beliefs.

More's ideology as revealed in both the *Dialogue Concerning Heresies* and the June 1530 anti-heresy proclamation was by no means a dead letter. Between October 1530 and October 1531, he opened three Star Chamber proceedings against individuals for owning books prohibited by the royal proclamation. As a secular court of law, the Star Chamber was composed of the Lord Chancellor and several other officials who were entrusted with the authority to deal with cases that were too serious to be dealt with by ordinary courts. The very fact that the court's far reaching authority would be used in heresy cases that had heretofore been the province of Church courts reveals just how determined More was to use his sweeping powers as Lord Chancellor to rein in religious dissent. In each of the three cases adjudicated by the court on the basis of the 1530 proclamation against heretical literature, More had offenders imprisoned, fined, and made to perform public penance. These, however, were by no means the most severe examples of More's secular campaign against heresy. In 1531, for example, he arrested George Constantine for heresy. A seller of protestant literature, Constantine was imprisoned by More in his own home at Chelsea, where he escaped and made his way to Antwerp. Constantine's interrogation, however, led to the arrest of Richard Bayfield, a Benedictine monk and book seller who was later burned at Smithfield. More's next captive was John Tewkesbury, who like Constantine before him was held at More's home in Chelsea. Unlike Constantine, however, Tewkesbury did not escape and after his trial before Bishop Stokesley of London was handed over the secular arm and burnt at the stake. A middle temple lawyer named James Bainham followed him to the flames in April 1532, having previously been examined at More's home. While Church officials like Bishop Stokesly were involved in these cases and ultimately made

the judgments that led to the imposition of the death penalty, the fact that much of the impetus for these prosecutions stemmed from More's own authority as Lord Chancellor shows just how much power the secular arm now had in the prosecution of heresy. Unlike Wolsey, who was content to admonish heretics and put them to a comparatively mild public penance, More's imprisonment, interrogation, and subsequent execution of heretics shows just how far he was willing to use his own secular authority to make up for his clerical predecessor's complacency.[92]

While all of this fits in perfectly with More's orthodox agenda, it also reflects a trend that eventually put him at odds with the king he professed to serve. Using religion to preserve the social order and thus the king's political authority, this program would allow the state to gradually assert control over the Church to the extent that it could effectively mold religious policy to reflect its political agenda. While More never had a conscious intent to undermine ecclesiastical authority, his policies and actions undoubtedly contributed to the consolidation of religious authority in the hands of the secular government. Ironically, John Foxe's summary of More's public career in his Protestant *Book of Martyrs* draws this very conclusion, arguing that if "he had kept himself within his own shop, and applied the faculty, being a layman, whereunto he was called, and had not overreached himself to prove masteries in such matters wherein he had little skill, less experience, and which pertained not to his profession, he had deserved not only much more commendation, but also a longer life."[93] Fox's exposé of More's role in the English campaign against heresy reveals a fundamental irony in More's public career. Asserting his authority as a layman in religious matters to defend the Church, More inadvertently sealed his fate by paving the way for the secular government to exercise an even greater control over

[92] Guy, "Sir Thomas More and the Heretics," 14-16.

[93] John Foxe, Foxe's Book of Martyrs: The Acts and Monuments of the Church (London, 1844), 2:308.

religious policy. When that government's policy shifted from preserving Catholic orthodoxy to asserting the royal supremacy, More stood condemned by his own methods.

While an analysis of these methods has revealed the policy behind the state's increased role in anti-heresy efforts, a broader analysis of Church-state relations during this period of Henry's reign can expose some of the practical effects this consolidation of authority had on the monarchy's ability to further assert its control over the church. During these crucial years of the divorce crisis, that control would be increasingly important for Henry in the fulfillment of his personal and political ambitions. As mentioned earlier, October 1529 marked not only the appointment of Sir Thomas More as Lord Chancellor, but also the inauguration of the Reformation Parliament that would meet until 1536. During that time, England's legislature would pass the most sweeping religious legislation in the country's history, reducing the Church to an instrument of the state and forever severing England's spiritual ties with Rome.

One document from these early parliamentary sessions provides a blueprint for this program of aggrandizement and reform. Although never voted on or enacted by parliament, this legislative draft is important nonetheless for the insight it provides into the practical solutions considered by parliament in its efforts to reform the church. Discovered in the papers of the King's secretary Thomas Cromwell, this collection of proposals stipulates that parliament should form a "great standing council" composed of laymen and clerics that would review and reform certain aspects of ecclesiastical jurisprudence. Among them was the manner in which heresy cases were prosecuted and tried. Pursuant to the proposals, the standing council was empowered to combat the proliferation of heresy by assuming all investigatory powers in cases and handing only the difficult ones over to the bishops for trial.[94] Using his authority as Lord Chancellor to

[94] J.A. Guy, The Public Career of Sir Thomas More (New Haven and London, 1980), 152; G.R. Elton, Reform and Renewal: Thomas Cromwell and the Common Weal (Cambridge, 1973), 72.

root out heresy and enforce decrees to that effect through the Star Chamber, More was concurrently putting this theory into practice. Arresting suspects and interrogating them in his own home, More was taking these unpublished directives to their logical conclusion by acting as the chief lay investigator of religious deviance. As noted earlier, More's prolific involvement in heresy cases as a layman initiated a new phase in the English anti-heresy campaign that was marked by a profound secular presence in what had been a matter most often exclusively reserved for the Church. While More's intent was simply to use his governmental prerogatives to assist the Church, these parliamentary proposals that also call for a strong lay presence in the detection and punishment of heresy reveal how this increased secular presence was being used by those in parliament to curb the Church's power at a time when the king's policy objectives necessitated an ecclesiastical body docile to his will. While the connections between these political developments and the concurrent aggrandizement of Church authority by the state in anti-heresy matters has often been overlooked, a closer analysis will reveal just how significant the state's broadening ecclesiastical authority in this area would be in forcing the submission of the English clergy.

All of these political and religious developments, of course, must be seen through the prism of Henry VIII's ongoing efforts to obtain an annulment of his marriage from Catherine of Aragon. Since Cardinal Wolsey was unable to procure that for him in the legatine court of 1529, the king needed to do away with the foreign influences and impediments placed on his rule by the pope and ensure that the church would be obedient to him as the ultimate authority within the realm. To that effect, Henry criminalized Wolsey's former status as papal legate to England as a violation of the fourteenth century statues of Provisors and Praemunire, which had limited ecclesiastical courts and officials from encroaching on the king's power and threatened the

papacy with consequences if it overstepped its authority at the expense of the crown.[95] In an effort to apply this lesson to the English clergy as a whole, Henry's government drew up charges against fifteen leading conservative clerics for aiding and abetting Wolsey's illegal authority as papal legate. It was no surprise that some of Queen Catherine's most vocal defenders, including Bishop Fisher of Rochester, were among those indicted. In addition to conforming the Church to his own will, however, Henry was also eager to acquire a new source of revenue to make up for Cardinal Wolsey's extravagant spending and failed taxation policies. With the bulk of English revenue coming from payments made by France in recognition of a 1526 treaty, it was imperative that the king begin to tap local resources for some much needed funds. As such, a forced levy on the English bishops in exchange for a full pardon from the praemunire charges would resupply the royal treasury and bring the Church into even greater submission. When the king's rising secretary, Thomas Cromwell, wrote to his now disgraced former employer Cardinal Wolsey and explained that "the prelates shall not appear in the praemunire: there is another way devised," that was exactly what he had in mind.[96]

On 21 January 1531, the convocation of the clergy for the Canterbury province of England was moved from where it had been meeting in St. Paul's Cathedral in London to Westminster, under the ever more watchful eye of the royal administration. The very next day, the assembled bishops learned that the king may very well levy the charge of praemunire against all the clergy, and not simply the aforementioned fifteen prelates originally accused. To appease the king's anger, the bishops were instructed to vote on a subsidy of £100,000 to be delivered to Henry at the church's own expense. Writing to the Emperor Charles V, the imperial ambassador

[95] Elton, Reform and Reformation, 51.

[96] Ibid, 140.

in England Eustace Chapuys described how "the principal cause of this assembly" was "to exact a composition from the clergy, who heretofore acknowledged the legation of the Cardinal." Furthermore, he informed the emperor that although "the clergy know themselves innocent, seeing that it was determined to find fault with them, they offered of their own accord 160,000 ducats, which the King refused to accept, swearing that he will have 400,000, or that he will punish every one with extreme rigor."[97] In the end, the king's threats won the day and the clergy voted to levy the £100,000 fine in exchange for a general pardon and a guarantee of their historic liberties as enshrined in Magna Carta, a proper, narrow definition of the law of praemunire, and the repeal of recent anti-clerical legislation. In response, Henry demanded that the clergy recognize him as "sole protector and also supreme head of the Church of England."[98] Claiming supremacy over the Church was tantamount to usurping the pope's own authority, and the bishops knew that they could not remain loyal to Rome and accept the king's proposed title. Bishop Fisher led the opposition, and in the end a compromise phrase was worked out that accepted the king's authority over the Church "so far as the law of Christ allows."[99] In return for this concession, the king's offer of a general pardon for offenses against the law of praemunire was enacted in Parliament and the bishops acknowledged the "cure of souls committed to his majesty." While not a complete turnover of ecclesiastical authority to the monarchy, this concession only made the church more submissive to the king and laid the foundation for the complete submission of the clergy that would soon follow.

In granting the king his forced levy and acknowledging his power over the Church, however, the English bishops made it very clear that the state's increasingly prolific role in the

[97] Chapuys to Charles V, 23 January 1531 in Brewer et al., eds., Letters and Papers, Volume 5:27.

[98] Elton, Reform and Reformation, 142.

[99] Ibid.

enforcement and prosecution of heresy cases was a viable pretense for lay annexation of spiritual authority. In the grant from the convocation to the king, the bishops declared that they acted "in consideration of the dangers which beset the Church by Lutherans, whose books are everywhere dispersed with a view to being the clergy into hatred, and deprive them of their possessions, and from whom they look to Henry VIII for protection."[100] As ambassador Chapuys had noted, the bishops knew the real reason why they were paying the king. In proffering this explanation for their submission, however, the clergy acknowledged (if only indirectly) that the government's increasing role in fighting heresy provided a legitimate reason for the Church to obey Henry's dictates.

Over the previous decade, the state had annexed much of the Church's traditional authority and autonomy when dealing with heresy, and in light of the king's demands, this aggrandizement was framed as a service done by the state to the Church. This is not to say that the bishops disparaged the state's assistance in prosecuting heresy. However, the fact that the convocation of the clergy could point to this "assistance" as a pretense for handing over what in reality was a fine to the king reveals just how effective the government's increased role in the adjudication of heresy cases had been in gradually subjecting the Church to the ever increasing influence and authority of the state. While it was by no means a conscious agenda on the part of Henry's government (and certainly not on the part of Thomas More) to use the adjudication of heresy cases as a means to curb the church's power, the overall effect of it was to render the Church dependant on the secular government in such a way that when the king demanded £100,000 in punishment for past "crimes" and a recognition of his new title, they had little choice but to acquiesce to his demands. If we see the Reformation as a gradual trajectory toward

[100] Convocation, 1529 (1530?) in Brewer et al., eds., Letters and Papers, IV, part III: 2701.

royal supremacy wherein Henry and his government play the lead role in imposing religious reform for political purposes, the actions of the administration with regard to heresy and how that influenced its relationship with the Church provide invaluable insight into how this process of consolidation was accomplished over time. Gradually encroaching upon the church's traditional authority, the state's anti-heresy efforts had established the king as not only the defender of the faith, but the protector of the church. The only caveat now was that the Church would need to become Henry's church if the king was to get the divorce he so desperately wanted. Having demonstrated that he could bend the bishops to his own will during the convocation, it would not be long before Henry insisted on complete submission to his absolute royal supremacy.

"Within his own Shop": The Royal Supremacy and the Political Legacy of England's Fight against Heresy

The decisive battle for royal control over the Church finally came in the parliamentary session of 1532. In May of that year, King Henry sent a list of demands to the Canterbury Convocation, stipulating that the convocation was only to meet at the request and pleasure of the king, that future canons were to receive the king's consent, and that all past canons were to be reviewed by a joint commission of clergy and laymen. After the convocation refused these demands, the king derided the clergy as "but half our subjects, yea, and scarce our subjects." After increasing pressure was brought to bear on Archbishop Warham and the convocation by both king and parliament, the clergy relented and finally submitted to Henry's demands.[101]

Following the Submission of the Clergy on 15 May, Thomas More resigned his post as Lord Chancellor. When Archbishop Warham died on 23 August, the stage was set for Henry to

[101] Solt, Church and State in Early Modern England, 20.

appoint a new Archbishop of Canterbury who would be more favorable to the divorce. In November, Thomas Cranmer was informed that he would be elevated to that position, and by mid-December Anne Boleyn was pregnant with Henry's daughter, the future Queen Elizabeth. Marrying her on January 25, 1533, Henry had only a few months to achieve his divorce so that the child in Anne's womb could be declared legitimate.[102] In early April, Parliament passed the Act in Restraint of Appeals, forbidding recourse to Rome in a divorce case adjudicated in England by parliament and church convocation. Under the leadership of Archbishop Cranmer, the church had delivered the same opinion just two days prior to the parliamentary act, and on 10 May Cranmer opened a divorce court, deciding within two weeks that Henry's marriage to Anne was valid. By this time, however, the pope had rendered the opposite decision and Henry and Cranmer were both excommunicated.[103] Henry had finally achieved the divorce and remarriage that he had sought for the previous seven years. The price, however, would be England's spiritual severance from Rome and generations of religious conflict.

Two years after the Submission of the Clergy, Parliament passed the Act of Supremacy in the second parliamentary session of 1534. Putting into law what had been implied for the previous three years, the statute declared, "the King our sovereign lord, his heirs and successors kings of this realm, shall be taken, accepted and reputed the only supreme head in earth of the Church of England called *Anglicana Ecclesia.*"[104] Previously, in the Dispensations Act passed during the first parliamentary session of 1534, it had been noted that this shift in authority would not necessary imply a change in doctrine. As far as the act was concerned, there would be no

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[102] Ibid.

[103] Ibid, 21.

[104] "The Act of Supremacy (1534)"; available from http://www.tudorhistory.org/primary/supremacy.html; accessed 31 March 2010.

deviation from the articles of the Catholic faith.[105] This is especially significant in the context of the "top-down" historiographical tradition regarding the English Reformation. Rather than protesting items of Catholic doctrine, Henry's political reformation questioned the authority of the Pope to exercise ecclesiastical jurisdiction within his realm. Since Henry's goal all along had been a sanctioned annulment and re-marriage, it is no surprise that the parliamentary legislation adopted at this time reflects a shift in authority rather than a change in belief. As such, the king used this opportunity to appropriate to himself the powers of ecclesiastical administration previously reserved to the Church hierarchy. Since the secular government's increasing role in the suppression of heresy had helped to transfer much of that authority to the king over the previous decade, it is no surprise that the capstone legislation cementing Henry's control over the Church in England would recognize this transition.

Enumerated within the Act of Supremacy, for example, was the king's power "to visit, repress, redress, reform, order, correct, restrain and amend all such errors, heresies, abuses, offences, contempts and enormities, whatsoever they be, which by any manner spiritual authority or jurisdiction ought or may lawfully be reformed, repressed, ordered, redressed corrected, restrained or amended, most to the pleasure of Almighty God." As has been argued throughout this paper, the campaign against Protestantism was one of the most significant means by which Henry's government was able to gradually appropriate church authority to itself during the years leading up to the break with Rome. Citing the suppression of heresy as one of his paramount duties as supreme head of the church, it is very clear that the king now enjoyed a spiritual jurisdiction that no other English monarch had ever claimed to possess.[106]

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[105] Solt, Church and State in Early Modern England, 24.

[106] Ibid, 25.

Ironically, the man who had arguably done the most to suppress heresy during this time became one of the first victims of Henry's ecclesiastical ambitions. Although he resigned the chancellorship in 1532 following the Submission of the Clergy, Sir Thomas More could not completely separate himself from the ensuing religious controversy. In 1534, Parliament passed the Act of Succession, which designated Henry and Anne's children as the legitimate heirs of the realm. While he did not oppose parliament's declaration in principle, More (along with Bishop Fisher) refused to take the oath stipulated by the act. Since the oath required at least an implicit rejection of papal authority, More saw it as an explicit affirmation of the royal supremacy.[107] Consequently, after the Act of Supremacy was passed in November 1534 along with an accompanying Treasons Act making it illegal to deny the king his new title, More and Fisher were imprisoned in the Tower of London. In May 1535, Pope Paul III elevated Bishop Fisher to the College of Cardinals, prompting Henry to bring More and Fisher to trial for high treason.

During his trial, Fisher readily admitted to denying the king his title. He maintained his innocence, however, by asserting that he had not done so "maliciously," as required by the Treasons Act. In any event, the jury was not interested in technicalities and Fisher was executed on Tower Hill in June. As his subsequent trial, More refused to comment on the matter, holding that under the law his silence indicated consent to the king's marriage and his title. Based on the testimony of Sir Richard Rich, who controversially claimed that More had told him the opposite, the court found the former lord chancellor guilty and sentenced him to be executed as well. Before he was sentenced, More made a point of telling the court what he truly thought, and what had long been suspected by his prosecutors throughout the ordeal. To the end, More believed that neither the king nor parliament had any right to make a law conflicting with the received law and

[107] Ibid, 29.

doctrine of the Catholic Church.[108] Executed "in and for the faith of the holy Catholic Church," More went to his death on 6 July as "the king's good servant, but God's first."[109] Ironically, the man who had arguably strengthened royal power in the ecclesiastical realm through his zealous prosecution of heresy as Lord Chancellor died as a witness to the superior authority of the Church over any mere political institution.

This fundamental irony, that More's actions as Lord Chancellor inadvertently laid the foundations for the royal supremacy by increasing the role of the secular government in the heretofore largely ecclesiastical function of detecting and suppressing heresy, is one that has contributed much to the overall argument of this paper. As John Foxe later recorded in his Protestant martyrology, if More had only "kept himself within his own shop...and had not overreached himself to prove masteries in such matters wherein he had little skill, less experience, and which pertained not to his profession, he had deserved not only much more commendation, but also a longer life."[110] As the evidence has shown, it was this "overreaching" of the laity (in the case the King and his government) into ecclesiastical affairs (including the suppression of heresy) that set the stage for the royal supremacy by increasing the monarchy's control over the church. As Foxe appropriately concludes, this was a consequence that ironically lead to More's own death.

More, of course, is not the only one who played a role in this transition. As noted earlier, the reformation was a process involving many stages and a variety of individuals. As has been argued, this process began with Henry VIII's initial reaction against Martin Luther's teachings, and encompassed a gradual transition from church-led efforts to suppress heresy to more overt

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[108] Ibid, 30.

[109] Bernard, King's Reformation, 150.

[110] Fox, Acts and Monuments, 308.

state involvement that eventually set the stage for the monarchy's increased presence and authority in the ecclesiastical sphere. More's chancellorship simply represents the apogee of that process in which the state began to appropriate many of the Church's traditional roles and responsibilities regarding the prosecution of heresy. In doing so, Henry was able to increase his overall control over ecclesiastical affairs at a time when his personal and political goals regarding the divorce necessitated a church docile to his will. Future research on the subject of heresy during Reformation-era England might show how the monarchy's involvement in the prosecution of religious dissent grew as the Tudor monarchs up to and including Elizabeth I continued to use royal authority against heresy in order to consolidate their religious and political power. A key question to consider during this examination would be whether or not the power to adjudicate heresy cases ever passed back to the church, or if it remained a function of the state exercised for political as well as religious purposes. If we ask where that authority originated, however, we need only look back to how the consolidation of religious power in the hands of the state during the anti-heresy campaign preceding the Reformation in England allowed the Defender of the Faith to become its Supreme Head.

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